

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Safiyo Ali,

Civil No. 04-1436 (DWF/SRN)

Plaintiff,

v.

ORDER

Jo Anne B. Barnhart,
Commissioner of Social Security,

Defendant.

Charles Krekelberg, Esq., Krekelberg Skonseng & Hastings, PLLP, counsel for Plaintiff.

Lonnie F. Bryan, Assistant United States Attorney, on behalf of Defendant

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated July 19, 2005. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Defendant's Motion for Summary Judgment (Docket No. 11) is **DENIED**;
2. Plaintiff's Motion for Summary Judgment (Docket No. 8) is **GRANTED** as set forth herein; and

3. This matter be remanded to the Social Security Administration for further proceedings to address the errors discussed herein.

Dated: August 16, 2005

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court